

# APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office..... **APR 26 1978**  
 Returned to applicant for correction..... **JAN 2 1979**  
 Corrected application filed..... **JAN 23 1979**  
 Map filed..... **DEC 15 1978**

The applicant Imperial Farms Land & Cattle Co., Inc., Frank Delmue and a partnership consisting of Kenneth and Gordon Lytle.  
Star Route 5, P.O. Box 50, of Ely, Nevada,  
 Street and No. or P.O. Box No. City or Town  
89301, hereby make application for permission to appropriate the public  
 State and Zip Code No.  
 waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) Imperial Farms Land & Cattle Co., Inc., is a California Corporation qualified with the Nevada Secretary of State on April 9, 1976.

1. The source of the proposed appropriation is Pony Well (underground)  
 Name of stream, lake or other source.
2. The amount of water applied for is 0.25 cfs second-feet  
 One second-foot equals 448.83 gals. per min.  
 (a) If stored in reservoir give number of acre-feet \_\_\_\_\_ acre-feet
3. The water to be used for Stockwatering and Domestic  
 Irrigation, power, mining, manufacturing, domestic, or other use.
4. If use is for:
  - (a) Irrigation (state number of acres to be irrigated) \_\_\_\_\_
  - (b) Stockwater (state number and kinds of animals to be watered) 1150 Cattle (See breakdown under #12)
  - (c) Other use (describe fully under "No. 12. Remarks") \_\_\_\_\_
  - (d) Power:
    - (1) Horsepower developed \_\_\_\_\_
    - (2) Point of return of water to stream \_\_\_\_\_
5. The water is to be diverted from its source at the following point: in the NW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 35, T6N, R66E, MDM or at a point from which the South  $\frac{1}{4}$  Corner of Section 35 bears S 25°15'30"W a distance of 1874.25 feet.  
 Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be stated.
6. Place of use in the NW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 35, T6N, R66E, MDM.  
 Describe by legal subdivision, if on unsurveyed land it should be so stated.
7. Use will begin about January 1st and end about December 31st, of each year.  
 Day and Month Day and Month
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Existing well will be serviced and equipment maintained for removal and availability of water for stockwatering.  
 State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works.....\$5000.00
10. Estimated time required to construct works..... 3 years
11. Estimated time required to complete the application to beneficial use..... 3 years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.  
Cattle pro-ration in this application is as follows:  
Imperial Farms Land & Cattle Co. 450
- |                          |      |
|--------------------------|------|
| Frank Delmue             | 400  |
| Kenneth and Gordon Lytle | 300  |
| Total Cattle             | 1150 |

Applicant Imperial Farms, Frank Delmue  
and Kenneth and Gordon Lytle

By s/ Robert W. Millard  
Robert W. Millard, Agent  
#12 Inglewood Drive  
Fernley, Nevada 89408

Compared lp/dh ja/dr

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. It is further understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to any other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0359 cubic feet per second, or sufficient water to water 1,150 head of cattle.

Actual construction work shall begin on or before July 10, 1980

Proof of commencement of work shall be filed before August 10, 1980

Work must be prosecuted with reasonable diligence and be completed on or before July 10, 1981

Proof of completion of work shall be filed before August 10, 1981

Application of water to beneficial use shall be made on or before July 10, 1982

Proof of the application of water to beneficial use shall be filed on or before August 10, 1982

Map in support of proof of beneficial use shall be filed on or before

Commencement of work filed AUG 15 1980

Completion of work filed SEP 17 1980

Proof of beneficial use filed JAN 30 1981

Cultural map filed

Certificate No. 10175 Issued SEP 01 1982

Recorded BK Page

County Recorder

IN TESTIMONY WHEREOF, I WILLIAM J. NEWMAN  
State Engineer of Nevada, have hereunto set my hand and the seal of  
my office, this 10th day of JANUARY

A.D. 19 80

William J. Newman  
State Engineer